

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID DONALDSON,

Defendant.

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Criminal Action No. 05-83-SLR

SECOND RULE 12.4 DISCLOSURE STATEMENT BY GOVERNMENT

Pursuant to Federal Rule of Criminal Procedure 12.4(a)(2), the United States discloses that Providian National Bank, the second of two organizational victims in this case, is a wholly-owned subsidiary of Providian Financial Corporation ("PFC"). PFC is publicly traded on the New York Stock Exchange. As of September 9, 2005, no one individual or entity owned more than 10% of PFC.

PFC and all of its subsidiary corporations are being acquired by Washington Mutual, Inc. This merger is scheduled to close on October 1, 2005, at which time PFC and Providian National Bank will no longer exist. Providian National Bank will merge into Washington Mutual Bank. Washington Mutual Bank is a subsidiary of Washington Mutual, Inc., and Washington Mutual Inc. is publicly traded.

Respectfully submitted,

COLM F. CONNOLLY
United States Attorney

By:


Shannon Thee Hanson
Assistant United States Attorney

Dated: September 28, 2005

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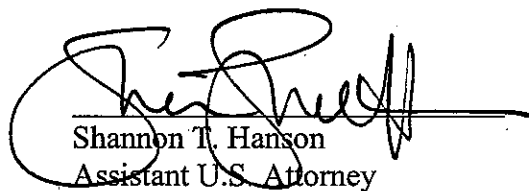
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CERTIFICATE OF SERVICE

I, Shannon T. Hanson, an employee in the Office of the United States Attorney for the District of Delaware, hereby attest under penalty of perjury that on the 28th day of September, 2005, I electronically filed a **SECOND RULE 12.4 DISCLOSURE STATEMENT** with the Clerk of Court using CM/ECF. Said document is available for viewing and downloading from CM/ECF, which will send notification of such filings to the following:

Anthony A Figliola, Jr.
Figliola & Facciolo
1813 Marsh Road, Suite A
Wilmington, DE 19810


Shannon T. Hanson
Assistant U.S. Attorney